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**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

IN RE INCRETIN-BASED  
THERAPIES PRODUCTS  
LIABILITY LITIGATION

TERESA SEUFERT,

Plaintiff,

v.

MERCK SHARP & DOHME CORP.,  
et al.,

Defendants.

Consolidated Cases:

Lara v. Merck Sharp & Dohme Corp.,  
et al. (13cv2928)

Lead Case No. 13md2452 AJB (MDD)

Case No. 13cv2169 AJB (MDD)

Case No. 14cv611 AJB (MDD)

Case No. 14cv1612 AJB (MDD)

**DEFENDANTS AMYLIN  
PHARMACEUTICALS, LLC, ELI  
LILLY AND COMPANY, MERCK  
SHARP & DOHME CORP. AND  
NOVO NORDISK INC.'S NOTICE  
OF MOTION AND MOTION TO  
SEPARATE AND TRANSFER  
CLAIMS TO MDL NO. 2452**

Date: October 23, 2014  
Time: 2:00 p.m.  
Courtroom: 3B  
Judge: Hon. Anthony J. Battaglia  
Magistrate: Hon. Mitchell D. Dembin

1 McDaniel v. Merck Sharp & Dohme  
2 Corp., et al. (13cv3191); and

3 Gaines v. Amylin Pharmaceuticals,  
4 LLC, et al. (14cv56)

5  
6 SHARON MARBLE,

7 Plaintiff,

8 v.  
9

10 MERCK SHARP & DOHME CORP.,  
11 et al.,

12 Defendants.

13  
14 BRIAN CHRISTOPHER STOVALL,

15 Plaintiff,

16 v.  
17

18 AMYLIN PHARMACEUTICALS,  
19 LLC, et al.,

20 Defendants.

1 PLEASE TAKE NOTICE that on October 23, 2014, at 2:00 p.m., in Courtroom  
2 3B of the United States District Court for the Southern District of California, located  
3 at 221 West Broadway, San Diego, California, Merck Sharp & Dohme Corp., Amylin  
4 Pharmaceuticals, LLC, Eli Lilly and Company, and Novo Nordisk Inc.  
5 (collectively, “MDL Defendants”) will and hereby do move the Court for an order  
6 separating the claims against the MDL Defendants in the following actions pending in  
7 this District and transferring the claims against the MDL Defendants to MDL No.  
8 2452:

- 9 • *Seufert v. Merck Sharp & Dohme Corp., et al.*, Case No. 13cv2169 AJB  
10 (MDD);
- 11 • *Lara v. Merck Sharp & Dohme Corp., et al.*, Case No. 13cv2928 AJB (MDD);
- 12 • *McDaniel v. Merck Sharp & Dohme Corp., et al.*, Case No. 13cv3191 AJB  
13 (MDD);
- 14 • *Gaines v. Amylin Pharmaceuticals, LLC, et al.*, Case No. 14cv56 AJB (MDD);
- 15 • *Marble v. Merck Sharp & Dohme Corp., et al.*, Case No. 14cv611 AJB (MDD);  
16 and
- 17 • *Stovall v. Amylin Pharmaceuticals, LLC, et al.*, Case No. 14cv1612 AJB  
18 (MDD).

19 This Motion is based upon this Notice and Motion, the accompanying  
20 Memorandum of Points and Authorities, any Reply filed in support of this Motion,  
21 and upon such other evidence and oral argument as may be received by the Court.  
22

23 Dated: September 16, 2014

24 By: s/ M. Elaine Horn  
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9  
10 **SIGNATURE ATTESTATION**

11 I hereby certify that authorization for the filing of this document has been  
12 obtained from each of the other signatories shown above and that all signatories  
13 concur in the filing's content.

14 s/ M. Elaine Horn  
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